

State of South Dakota

SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

400D0708

HOUSE BILL NO. 1309

Introduced by: Representatives Koehn and Monroe

1 FOR AN ACT ENTITLED, An Act to revise the licensure renewal date for chiropractors and
2 to authorize a fee to defray the costs of peer review established by the Board of Chiropractic
3 Examiners.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 36-5-14.1 be amended to read as follows:

6 36-5-14.1. Each person receiving a license under the provisions of this chapter shall procure
7 from the secretary-treasurer of the ~~Board of Chiropractic Examiners~~ board on or before the
8 ~~fifteenth day of February~~ thirty-first day of December of each year, a renewal of license. ~~Such~~
9 The renewal shall be issued by the secretary-treasurer upon payment of the fee to be fixed in a
10 rule promulgated by the board pursuant to chapter 1-26, not exceeding the sum of one hundred
11 dollars. The renewal license shall be in the form of a receipt acknowledging payment of the
12 required fee and signed by the secretary-treasurer and shall be issued only to persons certified
13 by the South Dakota Chiropractors Association as members in good standing as defined in
14 § 36-5-18.

15 Section 2. That § 36-5-19 be amended to read as follows:

16 36-5-19. The board of ~~examiners~~ may act as a peer review committee or may appoint other
17 ~~licensed~~ chiropractors licensed to practice in this state to perform such function to maintain the

1 professional standards of the board. No monetary liability on the part of, and no cause of action
2 for damages may arise against any member of a duly appointed peer review committee ~~comprised~~
3 ~~of chiropractors licensed to practice in this state,~~ for any act or proceeding undertaken or
4 performed within the scope of the functions of such committee ~~formed to maintain the~~
5 ~~professional standards of the board of examiners as provided in rules promulgated by the board~~
6 ~~pursuant to chapter 1-26,~~ if the committee member acts without malice, has made a reasonable
7 effort to obtain the facts of the matter on which the member acts, and acts in reasonable belief
8 that the action taken is warranted by the facts as known by the member after a reasonable effort
9 to obtain facts. The provisions of this section do not affect the official immunity of an officer or
10 employee of a public corporation. The contested case provisions of chapter 1-26 do not apply
11 to activities of the peer review committee. All licensees shall, as a condition of licensure, fully
12 cooperate with and promptly respond to inquiries and requests from the committee. The
13 recommendations of the committee as to necessity for services of a licensee, and as to
14 reasonableness of charges and procedures shall be reported to the person who requested the
15 review and one member of the board of examiners as designated by the board. The board may,
16 by rules promulgated pursuant to chapter 1-26, establish a fee, not to exceed seven hundred fifty
17 dollars, to defray the cost of the peer review.